

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

PACIFIC INDEMNITY COMPANY)

15 Mountain View Road)

Warren, NJ 07061-1615)

Plaintiff,)

v.)

ALFRED KEMP, Individually and d/b/a)

KEMP PLUMBING)

P.O. Box 1322)

Pembroke, MA 02359)

and)

MARTIN SANDBORG, Individually and d/b/a)

SANDBORG PLUMBING AND HEATING)

13 Liberty Street)

Sandwich, MA 02563,)

Defendants.)

C.A. No.: 04-11975-RWZ

BBO # 552588

**AFFIDAVIT OF CHRISTOPHER G. BETKE IN SUPPORT OF DEFENDANT'S,
ALFRED KEMP, INDIVIDUALLY AND D/B/A KEMP PLUMBING, MOTION IN
LIMINE TO PRECLUDE TESTIMONY FROM PLAINTIFF'S EXPERT
THOMAS KLEM**

I, Christopher G. Betke, hereby depose and state as follows:

1. I am an attorney duly licensed to practice law in the Commonwealth of Massachusetts and am admitted to appear before the United States District Court for the District of Massachusetts in this matter. I represent the defendant, Alfred Kemp, Individually and d/b/a Kemp Plumbing ("Kemp").

2. This Affidavit is submitted based upon my own personal knowledge, except where noted, in order to authenticate certain documents that are referred to in Kemp's Motion in Limine.

3. Attached at Exhibit A to Kemp's Motion in Limine is a true and accurate copy of Thomas Klem's initial report dated July 29, 2005.

4. Attached at Exhibit B to Kemp's Motion in Limine are true and accurate copies of two photographs taken by Thomas J. Klem of the front and back of the under-the-sink cabinet following the fire.

5. Attached at Exhibit C to Kemp's Motion in Limine is a true and accurate copy of Figure 6.17.7 from the 2004 Edition of the NFPA 921.

6. Attached at Exhibit D to Kemp's Motion in Limine is a true and accurate copy of Thomas J. Klem's Expert Rebuttal dated March 23, 2006.

7. Attached at Exhibit E to Kemp's Motion in Limine is a true and accurate copy of Donald Galler's Expert Rebuttal dated March 22, 2006.

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY ON
MARCH 20, 2007.

/s/ Christopher G. Betke
Christopher G. Betke, BBO# 552588
Ryan, Coughlin & Betke, LLP
175 Federal Street
Boston, MA 02110
(617) 988-8050

CERTIFICATE OF SERVICE

I, Christopher G. Betke, hereby certify that on March 20, 2007, I served a copy of the within document via electronic filing to: Matthew H. Feinburg, Esq., Feinberg & Kamholtz, 125 Summer Street, 6th Floor, Boston MA 02110; Daniel Q. Harrington, Esq., Cozen & O'Connor, 1900 Market Street 3rd Floor, Philadelphia, PA 19103; Philip Tierney, Esq., Finnegan, Underwood, Ryan & Tierney, 22 Batterymarch Street, Boston, MA 02109.

/s/ Christopher G. Betke

Christopher G. Betke